REMARKS

Claims 1-45, 47-56, 58-68, and 70-72 are now pending in the application. Claims 46, 57, and 69 are cancelled without disclaimer or prejudice to the subject matter contained therein. Support for the amendments to the claims can be found throughout the specification and drawings. As such, no new matter is added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant would like to thank the Examiner for the courtesy extended during the telephonic interview conducted on September 17, 2007. During the interview, the Examiner and Applicant's representative discussed the Declaration filed July 12, 2004. No agreement was reached.

OATH/DECLARATION

The Examiner alleges that the stated error in the declaration is improper under MPEP § 1402. Applicant respectfully disagrees.

A reissue declaration must contain a statement that the Applicant believes the original patent to be wholly or partly inoperative or invalid by reason of a defective specification or drawing, or by reason of the patentee claiming more or less than patentee had the right to claim in the patent. (MPEP § 1414). Please note that Page 2, Lines 3-4 of Applicant's declaration states "I believe that the original above-identified U.S. patent is partially inoperative by reason of my having claimed less than I had the right to claim in that patent." As such, Applicant respectfully submits that this portion of the requirements for a reissue declaration is satisfied.

Further, a reissue declaration must contain a statement of at least one error which is relied upon to support the reissue application. (MPEP § 1414). Please note that Page 2, Line 4 through Page 3, Line 3 states that a plurality of claims "contain a potential ambiguity with reference to the antecedent basis" for various phrases. The Examiner alleges that "all the potential ambiguities listed by applicant in the declaration appear to be editorial in nature and correctable via Certificate of Correction." Applicant respectfully disagrees and submits that modification of language intended to eliminate ambiguity is sufficient support for reissue.

Applicant respectfully notes that ambiguity and a lack of antecedent basis can render a claim invalid under 35 U.S.C. § 112, second paragraph. For example, the court in *In re Altenpohl*, 500 F.2d 1151 (C.C.P.A 1974), held that lack of antecedent basis in a claim is proper ground for reissue under 35 U.S.C. § 251:

> lack of antecedent basis in a claim can render it invalid under 35 U.S.C. § 112, second paragraph, and correction of such a defect by issue should not have to depend on difference and scope of claim...a patentee should be allowed to correct an error or ambiguity in a claim without having to rely on implication or litigation. Accordingly, we hold that lack of antecedent basis in claim 11 is proper ground for reissue under 35 U.S.C. § 251. *Id.* at 1156-1157.

In the present declaration, Applicant clearly stated that the error in question is that one or more claims include a potential ambiguity due to improper antecedent basis. As such, Applicant respectfully submits that the declaration is proper.

REJECTION UNDER 35 U.S.C. § 112

Claims 21 and 37 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant amended claim 21 to clarify a first bias voltage source to provide the first bias voltage to the first differential amplifier, a second bias voltage source to provide the second bias voltage to the third MOS transistor, and a third bias voltage source to provide the third bias voltage to the second differential amplifier. Applicant amended claim 37 according to the Examiner's suggestion. Applicant respectfully submits that claims 21 and 37 are now definite. These amendments are not narrowing amendments.

REJECTION UNDER 35 U.S.C. § 102

Claims 18-20 and 41-43 are rejected under 35 U.S.C. § 102(b) as being anticipated by Des Rosiers et al. (U.S. Pat. No. 5,495,184). This rejection is respectfully traversed.

With respect to claim 18, Des Rosiers fails to show, teach, or suggest a second differential amplifier having a second input connected to the third drain and the second source, a third input in communication with a third bias voltage, and an output in communication with the second gate. Des Rosiers does not disclose that the second input is connected to the alleged third drain and second source.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by

one skilled in the field of the invention. *Scripps Clinic & Res. Found. V. Genentech, Inc.*, 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. *Constant v. Advanced Micro-Devices, Inc.*, 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Des Rosiers fails to disclose the limitation that the second input of the second differential amplifier is connected to the third drain and the second source.

As shown in an exemplary embodiment in FIG. 4b, a compensation circuit includes a second MOS transistor M8 having a second source and a third MOS transistor M9 having a third drain. A second differential amplifier U1 has a second input connected to the third drain and the second source (i.e. the input Vn connected at a node between M8 and M9).

As best understood by Applicant, Des Rosiers does not disclose this structure. For example, the Examiner alleges that FIG. 4 of Des Rosiers discloses a second differential amplifier OP2, a second MOS transistor N4, and a third MOS tranistor N3. Applicant respectfully notes that the alleged second input of the second differential amplifier OP2 is connected to a node V_{OL2}. **The node V_{OL2} (and therefore the second input) is connected to a second drain of the second MOS transistor N4**. The second input **is not connected to the source S of the second MOS transistor N4** (i.e. the alleged second source), and is similarly **not connected to the drain D of the third MOS transistor N3** (i.e. the alleged third drain).

Applicant respectfully submits that Des Rosiers fails to show, teach, or suggest a second differential amplifier having a second input connected to the third drain and the

second source. Claim 18, as well as its dependent claims, should be allowable for at least the above reasons.

Claims 22, 23, 25, 29, 32 and 34 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nagaraj et al. (U.S. Pat. No. 5,642,077). This rejection is respectfully traversed.

With respect to claim 22, Nagaraj fails to show, teach, or suggest analog integrated function means for providing first and second output signals responsive to a first differential input signal pair and a second differential input signal pair. In particular, Nagaraj fails to disclose the limitation of first and second output signals responsive to **first and second differential input signal pairs**.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. *Scripps Clinic & Res. Found. V. Genentech, Inc.*, 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. *Constant v. Advanced Micro-Devices, Inc.*, 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Nagaraj fails to disclose the limitation of providing first and second output signals responsive to a first differential input signal pair and a second differential input signal pair.

As shown in an exemplary embodiment in FIG. 4a of the present application, an analog function circuit receives a first differential input signal pair (i.e. the pair of inputs V_X) and a second differential input signal pair (i.e. the pair of inputs V_Y). The analog function circuit provides first and second output signals in response to the first differential input signal pair V_X and the second differential input signal pair V_Y.

Nagaraj does not appear to disclose this limitation. The Examiner relies on FIG. 1 of Nagaraj to disclose analog integrated function means (elements 122, 120, 140, and 104). Applicant respectfully notes that the alleged analog integrated function means does not provide first and second output signals responsive to **first and second differential input signal pairs** as claim 22 recites. In other words, Applicant's claim 22 recites **two pairs** of differential input signals (i.e. two differences between respective pairs of inputs V_X and V_Y as shown in FIG. 4a). As best understood by Applicant, Nagaraj discloses only a single differential input signal pair.

Applicant respectfully submits that claim 22, as well as its dependent claims, should be allowable for at least the above reasons. Claim 32, as well as its dependent claims, should be allowable for at least similar reasons.

REJECTION UNDER 35 U.S.C. § 103

Claims 31 and 45-72 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagaraj et al. (U.S. Pat. No. 5,642,077). This rejection is respectfully traversed.

With respect to claim 45, Nagaraj fails to disclose a biasing circuit in communication with a common mode node of the differential loading device and an input of the compensation circuit that provides a common mode voltage to the common mode node of the differential loading device and the compensation circuit, and that provides a plurality of control bias voltage signals to the compensation circuit.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior

art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03. Here, the Examiner fails to provide **any** reference to support a finding that a bias circuit that provides a common mode voltage **and** a plurality of control bias voltage signals is obvious. Furthermore, when evaluating claims for obviousness under 35 U.S.C. §103, all of the limitations must be considered and given weight. *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), MPEP § 2144.03. Here, it is clear that the Examiner has given little or no consideration of the limitation **and failed to give the limitation any weight**.

Applicant respectfully notes that Nagaraj does not explicitly disclose or show a biasing circuit. Instead, the Examiner maintains that a biasing circuit provides the common mode voltage V_{CM}. In other words, the Examiner appears to allege that the biasing circuit is implicit. To the contrary, Applicant respectfully asserts that the alleged biasing circuit is not shown and, as such, the Examiner's reliance on the alleged biasing circuit to disclose specific claim elements is improper.

For example, claim 45 recites that the biasing circuit provides **the common mode voltage and a plurality of control bias voltage signals**. As shown in an exemplary embodiment in FIG. 4a of the present application, a bias circuit provides a common mode voltage Vcm and a plurality of control bias voltage signals Vc1, Vc2, and Vc3.

The Examiner alleges that the undisclosed biasing circuit of Nagaraj provides the common mode voltage V_{CM} and a supply voltage V_{DD} to the alleged compensation circuit. Applicant respectfully disagrees. Nagaraj is absent of any description of an actual biasing circuit. Applicant respectfully notes that there is no support or evidence

for the Examiner's allegation that the same circuit provides both the common mode voltage V_{CM} and the supply voltage V_{DD}.

Applicant further notes that even if the same circuit in Nagaraj (e.g. the alleged biasing circuit) provided both the common mode voltage V_{CM} and the supply voltage V_{DD}, Nagaraj still fails to disclose that the circuit provides **a plurality of control bias voltage signals to the compensation circuit**. The Examiner relies on the common mode voltage signal V_{CM} and the supply voltage V_{DD} to disclose the plurality of control bias voltage signals. In other words, the Examiner relies on the common mode voltage signal V_{CM} to disclose the common mode voltage signal and one of the plurality of control bias voltage signals.

Here again, Applicant respectfully notes that claim 45 recites that the biasing circuit provides both the common mode voltage signal **and** the plurality of control bias voltage signals to the compensation circuit. In other words, the plurality of control bias voltage signals are provided in addition to the common mode voltage signal. As such, the Examiner's reliance on the common mode voltage signal V_{CM} to disclose both the common mode voltage signal and one of the plurality of control bias voltage signal of Applicant's claim 45 is improper.

In view of the foregoing, Applicant respectfully submits that claim 45, as well as its dependent claims, should be allowable for at least the above reasons. Claims 56 and 67, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

ALLOWABLE SUBJECT MATTER

Claims 1-17 are allowed. The Examiner states that claims 26-28, 30, and 35-40 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter. Accordingly, Applicant elects to defer amending the claims into independent form until after the above remarks are considered.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 18, 2007

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